

Serial No.: 09/780,553
Group No. 3634

Amendment A

REMARKS

This is in response to the Official Action mailed June 3, 2002. Applicant respectfully requests reconsideration, reexamination and allowance of claims 22-25 and 27-30 in view of the above amendments and the following remarks.

The Examiner has first rejected claims 22-26 under 35 U.S.C. §112, 2nd paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner notes that in claim 22 at line 12, the term "the lift" has no antecedent basis. Applicant has amended this claim to replace "the lift" with --the stand-- to comport with the preamble of the claim. Applicant respectfully requests that this basis for rejection now be withdrawn.

The Examiner next has rejected claims 22-25 and 27-30 under 35 U.S.C. §102(b) as being clearly anticipated by Jones, U.S. Patent No. 3,430,983. The Examiner has however indicated that claims 26 and 31 would be allowable if rewritten to overcome rejections under 35 U.S.C. §112, 2nd paragraph (as appropriate, vis-à-vis claim 26) and to include all of the limitations of the base claim and any intervening claims.

Although Applicant disagrees that the Jones patent anticipates claims 22-25 and 27-30, in an effort to expedite prosecution of the present application, Applicant has amended claim 22 to include the elements of claim 26 and has further amended claim 27 to include the elements of claim 31.

Applicant respectfully submits that the claims, as amended, are now allowable as indicated by the Examiner and respectfully and earnestly solicits early indication of same.

Attached hereto for the Examiner's convenience are pages 5-6, entitled CLAIMS MARKED-UP TO INDICATE CHANGES. Also attached hereto are pages 7-9, entitled COMPLETE SET OF ALL PENDING CLAIMS FOLLOWING ENTRY OF THE PRESENT AMENDMENT.

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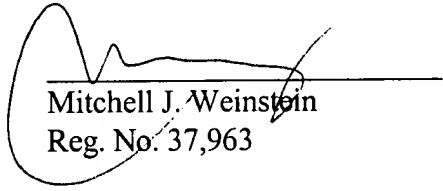
Applicant believes that there is no fee due in connection with the present Amendment. If, however, there is any fee due, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 23-0920. A duplicate copy of this sheet is enclosed.

Should the Examiner believe that any formalities or other matters need to be addressed, in order to move the present application on to allowance, it is respectfully requested that the undersigned be contacted.

Date: **July 2, 2002**

Respectfully submitted,

By:



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B

CLAIMS MARKED-UP TO INDICATE CHANGES

22. (Amended) A motorcycle stand for securing a motorcycle in an upright orientation, the motorcycle having a front wheel, the device comprising:

a frame defining a wheel-way along a generally longitudinal path on the frame, the wheel-way defining a surface; and

a front wheel locking assembly, the front wheel locking assembly including a pivoting saddle mounted to the frame along the wheel-way, the saddle having a concave shape and including an entrance portion lying along the wheel-way for receiving the front wheel of the motorcycle and pivoting between an entry position wherein the entrance portion lies on the surface and a locking position wherein the entrance portion is raised from the surface when the front wheel passes over and beyond the pivot, the front wheel locking assembly further including a wheel stop for engaging the front wheel when the motorcycle is moved onto the [lift] stand and when the front wheel is positioned in the pivoting saddle, the wheel stop including an angled V-flange extending from an upper end thereof.

27. (Amended) A motorcycle stand for securing a motorcycle in an upright orientation, the motorcycle having at least one of a front wheel and a rear wheel, the device comprising:

a frame; and

a wheel locking assembly, the wheel locking assembly configured to receive the front wheel or the rear wheel from a surface on which the motorcycle is resting,

the wheel locking assembly including a pivoting saddle mounted to the frame, the saddle having a concave shape and including an entrance portion lying substantially on the surface for receiving the wheel of the motorcycle and a rear portion opposite the entrance portion, the saddle configured for pivoting between an entry position wherein the entrance portion lies on the surface and a locking position wherein the entrance portion is raised from the surface, the saddle further

Serial No.: 09/780,553
Group No. 3634

Amendment A

including a pivot between the entrance portion and the rear portion, the saddle configured to pivot from the entry position to the locking position when the wheel passes beyond the pivot,

the wheel locking assembly further including a wheel stop at about the rear portion for engaging and securing the wheel when the motorcycle is moved onto the stand and when the wheel is positioned in the saddle beyond the pivot such that the saddle pivots to the locking position, the wheel stop including an angled V-flange extending from an upper end thereof,

wherein the motorcycle is maintained in the upright orientation by lockingly securing the wheel between the wheel stop and saddle pivoted into the locking position.